

Exhibit “M” to Amended Verified Petition

- (d) LPG shall otherwise be stored and handled according to the latest edition of the National Fire Protection Association Manual 58, which manual shall be kept on file in the office of the town building inspector.
- (e) Above ground storage containers shall not exceed a capacity of one hundred twenty thousand (120,000) gallons, nor shall the total volume of gas at any one site exceed two hundred eighty thousand (280,000) gallons in an I-3 District or seventy thousand (70,000) gallons in a B-4 or ID District.
- (f) LPG storage tanks in excess of seventy thousand (70,000) gallons shall be set back one hundred (100) feet, and those tanks in excess of ninety thousand (90,000) gallons shall be set back one hundred twenty-five (125) feet from all property lines.
- (g) Underground containers in excess of two thousand (2,000) gallons shall be set back 50 feet from all property lines.
- (h) No combustible material of any kind, weeds and grass shall be kept within ten (10) feet of a LPG storage tank or container.
- (i) LPG storage shall not be located on lands subject to ponding or flooding according to the Town Soils Map or the HUD Flood Insurance Maps.
- (j) Above-ground LPG storage tanks shall be separated from each other by twenty (20) feet.
- (k) Gallons shall be measured in terms of water capacity.

130-40-30.43 TEMPORARY SAND AND GRAVEL REMOVAL OPERATIONS MAY BE LOCATED IN ANY DISTRICT:

- (a) The minimum site shall be ten (10) acres.
- (b) The removal operation shall not be closer than three hundred (300) feet of any residential use.
- (c) Coordination with NYSDEC permit process shall be required for all mining operations that otherwise require a permit from the NYSDEC. Any applicant in need of a DEC permit must file copies of all applications, plans, correspondence, etc. with the Planning Board within seven (7) days of the filing of the same with the DEC. All Notices from the DEC, likewise, shall be filed with the Planning Board by the applicant within seven (7) days of receipt.

130-40-30.44 Production, Supply and Removal:

- (a) Not more than 90,000 gallons per day may be removed. Dailey average is prohibited.
- (b) Retail sales are prohibited.
- (c) Bottling or other similar facilities are prohibited.
- (d) Not more than ten (10) truck trailers and not more than four (4) truck tractors are permitted at the site at anytime. The Site Plan must depict the acceptable loading and parking areas for all such vehicles. No other commercial vehicles shall be permitted to be parked or stored on site.
- (e) Truck traffic shall avoid, where possible, travel within residential zones to access the State and County Road system.
- (f) A Well Head Protection shall be provided as developed by a geo-hydrologist as part of the approval of the Special Use Permit and Site Plan.